

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/28/24

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NORTHEAST PLASTIC SURGERY PLLC,	:	
Plaintiff,	:	
	:	
-against-	:	
	:	24-CV-9148 (VEC)
	:	
BLUECROSS BLUESHIELD OF ILLINOIS,	:	<u>ORDER</u>
	:	
Defendant.	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on November 29, 2024, Defendant filed a Notice of Removal from New York Supreme Court, *see* Not. of Removal, Dkt. 1;

WHEREAS Defendant alleges that this Court has subject matter jurisdiction because the parties are diverse, *id.* ¶ 7;

WHEREAS “a [professional] limited liability company has the citizenship of its members,” *David Grossman & Assocs. PLLC v. Kernan and Assocs. L. Grp.*, No. 23-CV-8231, 2024 WL 416391, at *2 (E.D.N.Y. Jan. 2, 2024) (citing *Handelsman v. Bedford Vill. Assocs. L.P.*, 213 F.3d 48, 51–52 (2d Cir. 2000));

WHEREAS a complaint premised upon diversity of citizenship must allege the citizenship of natural persons who are members of a PLLC and the place of incorporation and principal place of business of any corporate entities that are members of the PLLC (including the citizenship of any members of the PLLC that are themselves PLLCs), *see Handelsman*, 213 F.3d at 51–52;

WHEREAS the Notice of Removal alleges that Plaintiff Northeast Plastic Surgery PLLC is a professional limited liability company based in New York and upon information and belief, Plaintiff's members are citizens of Connecticut, *see* Not. of Removal ¶ 9;

WHEREAS the Notice of Removal did not provide specific, individualized information regarding Plaintiff's members from which the Court can ascertain that each member is diverse from Defendant;

WHEREAS the Court ordered Defendant to file an affidavit establishing that this Court has subject matter jurisdiction or the case would be remanded to New York Supreme Court for lack of subject matter jurisdiction, *see* Dkt. 5;

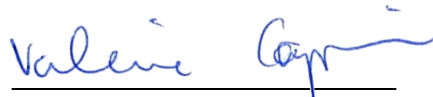
WHEREAS Defendant filed a declaration that states, upon information and belief, that Plaintiff Northeast Plastic Surgery PLLC has a single member, Shareef Jandali, M.D., and that he is a citizen of Connecticut, *see* Dkt. 11 ¶¶ 3–6; and

WHEREAS the Notice of Removal alleges that Defendant BlueCross BlueShield of Illinois is an unincorporated division of Health Care Service Corporation, a Mutual Legal Reserve Company, organized under the laws of Illinois with its principal place of business in Chicago, Illinois, *see* Not. of Removal ¶ 8.

IT IS HEREBY ORDERED that Defendant must file an Amended Notice of Removal that adequately alleges this Court has subject matter jurisdiction by January 10, 2025.

SO ORDERED.

Date: December 28, 2024
New York, New York


VALERIE CAPRONI
United States District Judge